

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA  
Civil Action No.: 1:24-cv-00710-LCB-JLW**

**UNITED STATES OF AMERICA; STATE  
OF NORTH CAROLINA; STATE OF  
CALIFORNIA; STATE OF COLORADO;  
STATE OF CONNECTICUT; STATE OF  
ILLINOIS; COMMONWEALTH OF  
MASSACHUSETTS; STATE OF  
MINNESOTA; STATE OF OREGON;  
STATE OF TENNESSEE; and STATE OF  
WASHINGTON,**

**Plaintiffs,**

**v.**

**REALPAGE, INC.; CAMDEN  
PROPERTY TRUST; CORTLAND  
MANAGEMENT, LLC; CUSHMAN &  
WAKEFIELD, INC.; GREYSTAR REAL  
ESTATE PARTNERS, LLC; LIVCOR,  
LLC; PINNACLE PROPERTY  
MANAGEMENT SERVICES, LLC; and  
WILLOW BRIDGE PROPERTY  
COMPANY, LLC,**

**Defendants.**

**DEFENDANT REALPAGE, INC.'S  
MOTION TO DISMISS UNDER  
FEDERAL RULE OF CIVIL  
PROCEDURE 12(b)(6)**

**ORAL ARGUMENT REQUESTED**

Defendant RealPage, Inc. (“RealPage”) moves the Court to dismiss Plaintiffs’ Amended Complaint with prejudice under Rule 12(b)(6) of the Federal Rules of Civil Procedure for failure to state a claim upon which relief can be granted.

As more fully set forth in RealPage’s accompanying brief, the grounds for this Motion are as follows:

1. The Court should dismiss Plaintiffs' claims under Sherman Act § 1 because the Amended Complaint fails to plead anticompetitive effects in a relevant market.

2. The Court should dismiss Plaintiffs' claims under Sherman Act § 2 because the Amended Complaint fails to plead that RealPage has engaged in exclusionary conduct, has actual or dangerously probable monopoly power in a relevant market, and specifically intended to monopolize a relevant market.

3. The Court should dismiss Plaintiffs' state-law claims because they are based on the same conduct, and governed by the same standards, as their Sherman Act claims, and therefore fail for the same reasons as their Sherman Act claims.

WHEREFORE, RealPage respectfully moves the Court to dismiss Plaintiffs' Amended Complaint with prejudice.

Respectfully submitted this 4th day of February 2025.

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